

AMENDED IN SENATE MARCH 30, 2005

SENATE BILL

No. 266

Introduced by Senator Romero

February 15, 2005

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An act to ~~amend Section 1797.98b of the Health and Safety Code, and to amend Section 8555 of the Government Code, relating to add Section 1797.1995 to the Health and Safety Code, relating to~~ emergency services.

LEGISLATIVE COUNSEL'S DIGEST

SB 266, as amended, Romero. ~~Emergency services-Trauma care.~~

~~Existing law, the California Emergency Services Act, sets forth the powers and duties of the Governor and other officers regarding mitigation of the effects of natural, man-made, or war-caused emergencies.~~

Existing law, the Emergency Medical Services System and Prehospital Emergency Medical Care Personnel Act (EMS act), establishes the Emergency Medical Services Authority within the California Health and Human Services Agency to provide, among other things, statewide coordination of county EMS programs, and administration of the Trauma Care Fund.

~~This bill would make technical, nonsubstantive changes.~~

*This bill would require the authority to establish a trauma care advisory committee and would require the committee to develop a statewide trauma care plan and to present the plan to the authority and to provide the plan to the Legislature along with the authority's comments by January 1, 2007.*

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     ~~SECTION 1. Section 1797.98b of the Health and Safety Code~~  
2     ~~is amended to read:~~

3     SECTION 1. Section 1797.1995 is added to the Health and  
4     Safety Code, immediately following Section 1797.199, to read:

5     1797.1995. (a) The authority shall establish a trauma  
6     advisory committee. The committee shall be composed of the  
7     following members:

8     (1) \_\_\_\_\_ members appointed by the authority from  
9     representatives of all professions and entities related to trauma  
10    care, including, but not limited to, emergency room and trauma  
11    physicians and surgeons, nurses, administrators, hospitals, and  
12    managed care providers. Appointments by the authority shall be  
13    made, with special consideration to the specific needs of  
14    pediatric trauma care and of rural areas.

15    (2) The following nonvoting members:

16    (A) The Governor's Deputy Legislative Secretary.

17    (B) The Chair of the Senate Committee on Health.

18    (C) The Chair of the Assembly Committee on Health.

19    (b) The committee shall develop a recommended statewide  
20    trauma plan which shall be presented to the authority and  
21    provided to the Legislature along with the comments of the  
22    authority, by January 1, 2007. The statewide plan shall include  
23    all aspects of a trauma care system, including, but not limited to,  
24    a statewide seamless transportation system addressing all  
25    possible gaps in coverage, all possible funding sources,  
26    including, but not limited to, taxes, fees, or services participation  
27    contributions in lieu thereof, from trauma care systems or  
28    professionals and all other stakeholders.

29    (c) Notwithstanding Sections 7.5 and 7.6 of the Government  
30    Code, more than one of the nonvoting members may be  
31    represented by a deputy at any meeting of the committee.

32    (d) The authority may appoint members to the committee from  
33    the membership of its ad hoc trauma care advisory working  
34    group in existence immediately preceding January 1, 2006.

35    (e) Members of the committee shall not receive compensation,  
36    but shall receive reimbursement for expenses, for their service on  
37    the committee.

1     ~~1797.98b. (a) Each county establishing a fund, on January 1,~~  
2     ~~1989, and on each April 15 thereafter, shall report to the~~  
3     ~~Legislature on the implementation and status of the Emergency~~  
4     ~~Medical Services Fund. The report shall cover the preceeding~~  
5     ~~fiscal year, and shall include, but not be limited to, all of the~~  
6     ~~following:~~

7     ~~(1) The total amount of fines and forfeitures collected, the~~  
8     ~~total amount of penalty assessments collected, and the total~~  
9     ~~amount of penalty assessments deposited into the Emergency~~  
10    ~~Medical Services Fund.~~

11    ~~(2) The fund balance and the amount of moneys disbursed~~  
12    ~~under the program to physicians and surgeons, for hospitals, and~~  
13    ~~for other emergency medical services purposes.~~

14    ~~(3) The number of claims paid to physicians and surgeons,~~  
15    ~~and the percentage of claims paid, based on the uniform fee~~  
16    ~~schedule, as adopted by the county.~~

17    ~~(4) The amount of moneys available to be disbursed to~~  
18    ~~physicians and surgeons, descriptions of the physician and~~  
19    ~~surgeon and hospital claims payment methodologies, the dollar~~  
20    ~~amount of the total allowable claims submitted, and the~~  
21    ~~percentage at which those claims were reimbursed.~~

22    ~~(5) A statement of the policies, procedures, and regulatory~~  
23    ~~action taken to implement and operate the program under this~~  
24    ~~chapter.~~

25    ~~(6) The name of the physician and surgeon and hospital~~  
26    ~~administrator organization, or names of specific physicians and~~  
27    ~~surgeons and hospital administrators, contracted to review claims~~  
28    ~~payment methodologies.~~

29    ~~(b) (1) Each county, upon request, shall make available to~~  
30    ~~any member of the public the report required under subdivision~~  
31    ~~(a).~~

32    ~~(2) Each county, upon request, shall make available to any~~  
33    ~~member of the public a listing of physicians and surgeons and~~  
34    ~~hospitals that have received reimbursement from the Emergency~~  
35    ~~Medical Services Fund and the amount of the reimbursement~~  
36    ~~they have received. This listing shall be compiled on a~~  
37    ~~semiannual basis.~~

38    ~~SEC. 2. Section 8555 of the Government Code is amended to~~  
39    ~~read:~~

1     ~~8555. Unless the provision or context otherwise requires, the~~  
2     ~~definitions contained within this article govern the construction~~  
3     ~~of this chapter.~~

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